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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ERICK HERNANDEZ,

9 Plaintiff,

10 v.

11 DALE NELSON, *et al.*,

12 Defendants.

Case No. C08-5242 FDB/KLS

ORDER ADOPTING REPORT AND
RECOMMENDATION

13 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L.
14 Strombom, objections to the Report and Recommendation, if any, and the remaining record, does
15 hereby find and ORDER:

- 16 (1) The Court adopts the Report and Recommendation;
- 17 (2) The Motion for Summary Judgment of Defendants Dale Nelson, George Wigen, B.
18 Gebalis and Carl Jason Sadler (Dkt 12) is **GRANTED**; and
- 19 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants
20 and to the Hon. Karen L. Strombom.

21 DATED this 20th day of July 2009.

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23 FRANKLIN D. BURGESS
24 UNITED STATES DISTRICT JUDGE
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